

9. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE  
Berkley OF Nevada, OR Her  
DESIGNEE, DEBATABLE FOR 10 MINUTES:

**AMENDMENT TO H.R. 2082, AS REPORTED  
OFFERED BY MS. BERKLEY OF NEVADA**

At the end of subtitle A of title IV (page 39, after line 16), add the following new section:

1 **SEC. 414. DIRECTOR OF NATIONAL INTELLIGENCE REPORT**  
2 **ON RETIREMENT BENEFITS FOR FORMER EM-**  
3 **PLOYEES OF AIR AMERICA.**

4 (a) IN GENERAL.—Not later than 120 days after the  
5 date of the enactment of this Act, the Director of National  
6 Intelligence shall submit to Congress a report on the ad-  
7 visability of providing Federal retirement benefits to  
8 United States citizens for the service of such citizens be-  
9 fore 1977 as employees of Air America or an associated  
10 company while such company was owned or controlled by  
11 the United States Government and operated or managed  
12 by the Central Intelligence Agency.

13 (b) REPORT ELEMENTS.—

14 (1) IN GENERAL.—The report required by sub-  
15 section (a) shall include the following:

16 (A) The history of Air America and associ-  
17 ated companies before 1977, including a de-  
18 scription of—

1 (i) the relationship between such com-  
2 panies and the Central Intelligence Agency  
3 and other elements of the United States  
4 Government;

5 (ii) the workforce of such companies;

6 (iii) the missions performed by such  
7 companies and their employees for the  
8 United States; and

9 (iv) the casualties suffered by employ-  
10 ees of such companies in the course of  
11 their employment with such companies.

12 (B) A description of the retirement bene-  
13 fits contracted for or promised to the employees  
14 of such companies before 1977, the contribu-  
15 tions made by such employees for such benefits,  
16 the retirement benefits actually paid such em-  
17 ployees, the entitlement of such employees to  
18 the payment of future retirement benefits, and  
19 the likelihood that former employees of such  
20 companies will receive any future retirement  
21 benefits.

22 (C) An assessment of the difference be-  
23 tween—

24 (i) the retirement benefits that former  
25 employees of such companies have received

1 or will receive by virtue of their employ-  
2 ment with such companies; and

3 (ii) the retirement benefits that such  
4 employees would have received and in the  
5 future receive if such employees had been,  
6 or would now be, treated as employees of  
7 the United States whose services while in  
8 the employ of such companies had been or  
9 would now be credited as Federal service  
10 for the purpose of Federal retirement ben-  
11 efits.

12 (D) The recommendations of the Director  
13 regarding the advisability of legislative action to  
14 treat employment at such companies as Federal  
15 service for the purpose of Federal retirement  
16 benefits in light of the relationship between  
17 such companies and the United States Govern-  
18 ment and the services and sacrifices of such  
19 employees to and for the United States, and if  
20 legislative action is considered advisable, a pro-  
21 posal for such action and an assessment of its  
22 costs.

23 (2) VIEWS OF DCIA.—The Director of National  
24 Intelligence shall include in the report any views of  
25 the Director of the Central Intelligence Agency on

1 the matters covered by the report that the Director  
2 of the Central Intelligence Agency considers appro-  
3 priate.

4 (c) ASSISTANCE OF COMPTROLLER GENERAL.—The  
5 Comptroller General shall, upon the request of the Direc-  
6 tor of National Intelligence and in a manner consistent  
7 with the protection of classified information, assist the Di-  
8 rector in the preparation of the report required by sub-  
9 section (a).

10 (d) FORM.—The report required by subsection (a)  
11 shall be submitted in unclassified form, but may include  
12 a classified annex.

13 (e) DEFINITIONS.—In this section:

14 (1) AIR AMERICA.—The term “Air America”  
15 means Air America, Incorporated.

16 (2) ASSOCIATED COMPANY.—The term “associ-  
17 ated company” means any company associated with  
18 or subsidiary to Air America, including Air Asia  
19 Company Limited and the Pacific Division of South-  
20 ern Air Transport, Incorporated.